

1 City of Kankakee

2 PLANNING BOARD

3  
4 Tuesday, January 28, 2014

5  
6  
7 TRANSCRIPT OF PROCEEDINGS had in the  
8 above-entitled matter, taken before DEBRA K.  
9 TURRELL, CSR, and Notary Public within and for the  
10 State of Illinois, 385 East Oak Street, Kankakee,  
11 Illinois, commencing at the hour of 7:00 p.m., on  
12 January 28, 2014.

13  
14 PRESENT:

15 Chairman Loretto Cowhig  
16 City Planner Cliff Cross

17 Members Present:

18 Willie Ames  
19 Edwin Eckhardt  
20 Marsha Lloyd  
21 Berry McCracken  
22 Chip Rorem  
23 Deb Terrill  
24

1 CHAIRMAN COWHIG: I'll call this meeting to  
2 order.

3 Mr. Cross, would you call the roll,  
4 please.

5 MR. CROSS: I will. Edwin Eckhardt.

6 MR. ECKHARDT: Here.

7 MR. CROSS: Carol Franke. Rayleen Harris.  
8 Marsha Lloyd. Berry McCracken.

9 MR. MCCRACKEN: Here.

10 MR. CROSS: Debra Terrill.

11 MS. TERRILL: Here.

12 MR. CROSS: Chip Rorem.

13 MR. ROREM: Here.

14 MR. CROSS: Willie Ames.

15 MR. AMES: Here.

16 MR. CROSS: Loretto Cowhig.

17 CHAIRMAN COWHIG: Here.

18 MR. CROSS: We have a quorum.

19 CHAIRMAN COWHIG: Thank you.

20 We don't have any minutes. And I  
21 suggest that we rearrange the agenda and do the  
22 public hearing next -- that's under new business --  
23 if there's no objection. I suspect that's what most  
24 of the people in the audience are interested in.

1 Case 14-01 for property at 1088 West  
2 Hawkins Street, which is currently zoned R-1 single  
3 family. The applicant is Jennifer Vits, and she  
4 wants to receive a conditional use permit to allow  
5 her to establish and operate a community residence  
6 family at that location.

7 Is the applicant here?

8 MR. AMES: Madam Chairman, I have to excuse  
9 myself from questioning or voting in this case  
10 because I am president of Kankakee County Training  
11 Center Board, and I think it would be a conflict of  
12 interest and I'd like to excuse myself from the  
13 meeting.

14 CHAIRMAN COWHIG: Okay. Thank you for your  
15 conscientious attitude.

16 MR. MCCracken: I'd like to do the same  
17 because I'm on the KCTC board, too, and I will  
18 excuse myself.

19 MR. CROSS: To advise you guys, in my  
20 experience you can participate in discussion is my  
21 understanding. I would recommend that you not take  
22 any official action in terms of either voting for  
23 recommending this request or not recommending it.  
24 But you have an opportunity to take part in the

1 discussion.

2 MR. AMES: I prefer not to because it might  
3 give the wrong connotation, might seem something I  
4 would ask maybe you wouldn't ask, because I'm  
5 affiliated.

6 MR. CROSS: I understand. That's your choice  
7 personally.

8 CHAIRMAN COWHIG: If we only have four voting  
9 members, does that create a problem?

10 MR. CROSS: It does not create a problem for  
11 the vote, but we do have enough to establish a  
12 quorum for the public meeting, which we have had  
13 enough to establish the quorum.

14 MS. TERRILL: Even if they left?

15 MR. CROSS: They cannot vote. Even if they  
16 leave, we can legally establish this meeting. My  
17 understanding is, and I'm not an attorney, but my  
18 understanding is we can still participate in the  
19 meeting and the votes would be based on the majority  
20 of the voting members. The only conflict that I do  
21 see of a potential here if you do only have four  
22 remaining voting members that are here, you could  
23 potentially have a 2-2, which means we would  
24 probably have to table it and carry it over to the



1 next meeting.

2 MS. TERRILL: Is Carol available by phone?

3 MR. CROSS: Carol is available by phone if we  
4 need her. I'd be happy to call her and put her on  
5 speaker phone if we feel that it's needed.  
6 Otherwise, I am comfortable we can proceed.

7 CHAIRMAN COWHIG: Are we satisfied that  
8 adequate notice has been given?

9 MR. CROSS: We have. The applicant has  
10 provided all the public notices per Chapter 12 of  
11 our City of Kankakee zoning ordinance and per the  
12 statutes of the State of Illinois. She did provide  
13 a notice within the 10- to 20-day window via  
14 certified mail return receipt to all property owners  
15 of record to where the tax bill goes. That was  
16 verified through her affidavit and through copies of  
17 the certified mailings that the notice was sent to  
18 all property owners within 200 feet.

19 Furthermore, I have also visually  
20 verified that a public notice of the same was  
21 provided in a paper of general circulation, being  
22 The Daily Journal, within that same 10- to 20-day  
23 window.

24 And per our zoning ordinance, we do

1 have a courtesy notice for anybody who wants to  
2 visit the property to see where it takes place. I  
3 did today go and visually verify that that notice is  
4 still up in the window. So that property has been  
5 appropriately identified, so the answer is yes.

6 CHAIRMAN COWHIG: I'm afraid we're not out of  
7 the woods yet in regard to a quorum. This is in  
8 section, Chapter 12 of the Zoning Ordinance,  
9 meetings of Plan Commission. To convene a legal  
10 meeting, a quorum consisting of a majority of its  
11 duly appointed and serving members must be present.  
12 That's five.

13 MR. CROSS: So one of them would still need to  
14 remain present in the room. They do not need to  
15 participate in the discussion but they do need to be  
16 present. We do have nine active members, so five is  
17 a quorum.

18 CHAIRMAN COWHIG: And we had six, counting the  
19 two people who are abstaining.

20 MR. CROSS: Right.

21 CHAIRMAN COWHIG: All recommendations made by  
22 the Planning Board shall require a majority vote of  
23 those members present and eligible to vote on any  
24 such issue, with a minimum of five members voting.

1           MR. CROSS: Okay. So we need a fifth. We  
2 would have to add Carol Franke to the list, unless  
3 Marsha Lloyd or Rayleen Harris. So I will contact  
4 Carol Franke.

5           CHAIRMAN COWHIG: A majority vote of those  
6 members present and eligible to vote on any such  
7 issue. Does present mean on the telephone?

8           MR. CROSS: Yes, we've had active members here  
9 on the telephone.

10          MS. TERRILL: She's stranded. She could not  
11 come in.

12          MR. CROSS: She could not be here.

13          CHAIRMAN COWHIG: We'll recess for a minute.

14                       Here comes another member.

15                               (Marsha Lloyd is now present.)

16          MS. TERRILL: Marsha saves the day.

17          CHAIRMAN COWHIG: We are always glad to see  
18 you, but especially so because you give us a voting  
19 majority.

20                       Note for the record, please, that  
21 Marsha Lloyd has joined us.

22          MR. CROSS: Marsha Lloyd has joined us.

23          CHAIRMAN COWHIG: Is the applicant here?

24          MS. VITS: Yes.

1 CHAIRMAN COWHIG: You need to be sworn in.

2 (Witness sworn.)

3 MR. CROSS: State for the record the applicant  
4 has been sworn in.

5 CHAIRMAN COWHIG: All the commissioners know  
6 is what is in the application that you received.  
7 And so we and all the people who are here are  
8 interested in hearing more details about what you  
9 have in mind.

10 Speak so that everybody can hear.

11 MS. VITS: I'm wanting to open a CILA, which  
12 is a community integrated living arrangement for  
13 individuals with developmental disabilities, and I'm  
14 looking to serve approximately four individuals in  
15 the home.

16 CHAIRMAN COWHIG: Four, did you say?

17 MS. VITS: Four, correct.

18 CHAIRMAN COWHIG: Adults?

19 MS. VITS: Yes.

20 CHAIRMAN COWHIG: What would the age range be?

21 MS. VITS: Probably 20s to 40s.

22 MR. CROSS: And I can give a breakdown of the  
23 zoning ordinance requirements if it would help  
24 everybody understand why we are here.



1                   Per the ordinance, the City of  
2 Kankakee Zoning Ordinance, what this is classified  
3 as is what would be known as a community family  
4 residence. And that is defined in our zoning  
5 ordinance as being a single family residence that  
6 can accommodate up to eight individuals who need  
7 some sort of assistance in their living arrangements  
8 in terms of disabilities. It does accommodate for  
9 an onsite licensed professional to be there to  
10 assist them on an hourly basis.

11                   So that defined use does require  
12 what's known as a conditional use permit per our  
13 zoning ordinance. What that means is, it doesn't  
14 necessarily mean that it's an allowed use or it's a  
15 prevented use, but it means that in the underlying  
16 zoning district of R-1 it is a use that has the  
17 opportunity for the applicant to apply for the  
18 conditional use permit, which is why we are here  
19 tonight. It requires a public hearing before this  
20 Planning Board, and then this Planning Board makes a  
21 recommendation to the Mayor and Council for either  
22 approval or denial.

23                   The thing I want to make clear about  
24 this meeting tonight, this is your opportunity to

1 voice your displeasure or support. This is the  
2 public forum for this particular conditional use.  
3 These minutes and recommendations then go to the  
4 Mayor and Council for final approval or denial. The  
5 point I'm making, you are either for or against the  
6 request, tonight is the night.

7 CHAIRMAN COWHIG: How many people would be  
8 employed there?

9 MS. VITS: Probably approximately four to six  
10 DSPs, which are direct support persons.

11 CHAIRMAN COWHIG: And how many would be there  
12 at any given time?

13 MS. VITS: Night shift would probably be one  
14 worker. Depending on the needs of the individuals,  
15 you could have two per shift, and that's all  
16 outlined by the State of Illinois as far as how many  
17 people, based on the needs of the individuals.

18 MR. ECKHARDT: Who is this Scott E. Smith on  
19 this authorization, owner of the property which is  
20 the subject, they authorize you to act. Who is  
21 that?

22 MS. VITS: That would be the bank that's in a  
23 foreclosure.

24 MR. ECKHARDT: And they own this property?

1 MS. VITS: Yes.

2 MR. ECKHARDT: You are going to act as a  
3 manager?

4 MS. VITS: Executive director.

5 MS. TERRILL: So you are buying the property  
6 if you get this permit?

7 MS. VITS: Correct.

8 MS. TERRILL: How many of these do you own?

9 MS. VITS: I have one that serves just my son.  
10 He has developmental disability, so I have started  
11 the home for him.

12 MS. TERRILL: In the home?

13 FROM THE AUDIENCE: Personal home?

14 MS. VITS: It was a family home. I do not  
15 live there now.

16 MR. CROSS: Please let me remind the audience,  
17 you will have your opportunity to speak. This is  
18 not a question answer, because you have to be sworn  
19 in as well and have to be identified. So if you do  
20 have questions in the future, please wait to that  
21 point.

22 MR. ECKHARDT: Are you going, are you going to  
23 be a manager or are you going to live at the  
24 property?

1 MS. VITS: No, I'm not going to live at the  
2 property. I will have a manager.

3 MR. ECKHARDT: Full-time?

4 MS. VITS: Yes.

5 MR. ECKHARDT: Or just part?

6 MS. VITS: That will oversee the workers.

7 CHAIRMAN COWHIG: Is the home that you  
8 currently operate in Kankakee?

9 MS. VITS: It's in St. Anne.

10 CHAIRMAN COWHIG: In St. Anne.

11 How big is this house?

12 MS. VITS: The house where my son lives?

13 CHAIRMAN COWHIG: No, the house on Hawkins.

14 MS. VITS: It's a little bit over 1900 square  
15 feet.

16 CHAIRMAN COWHIG: How many bedrooms?

17 MS. VITS: Four.

18 CHAIRMAN COWHIG: And how many bathrooms?

19 MS. VITS: Two and a half.

20 MR. ECKHARDT: And how many people do you plan  
21 on having there?

22 MS. VITS: Four.

23 MR. ECKHARDT: Handicapped available?

24 MS. VITS: You don't need that unless they're



1 in need of like a ramp for a wheelchair. But I'm  
2 wanting to serve individuals with autism or Down's  
3 syndrome, in which they would not need different  
4 modifications of the home.

5 MS. LLOYD: And would you retain the St. Anne  
6 home? Would you retain that also?

7 MS. VITS: Yes.

8 CHAIRMAN COWHIG: There's a single car garage  
9 and the driveway is the width of that. Is there any  
10 other off-street parking?

11 MS. VITS: Yes.

12 CHAIRMAN COWHIG: Where?

13 MS. VITS: In front of the home.

14 CHAIRMAN COWHIG: That's on street.

15 MS. VITS: Oh, on street, and the driveway.

16 CHAIRMAN COWHIG: So you could have one car in  
17 the garage and one in the driveway.

18 MS. VITS: Correct.

19 CHAIRMAN COWHIG: And then if any other cars,  
20 any other employees' cars would be on the street?

21 MS. VITS: Right.

22 CHAIRMAN COWHIG: What's the status of your  
23 application with the State of Illinois?

24 MS. VITS: I am a licensed CILA provider.

1 CHAIRMAN COWHIG: But do they have to approve  
2 of a particular location? If we okayed this and the  
3 City Council okayed this, what further approval or  
4 permits do you need from the State?

5 MS. VITS: The State will have the fire  
6 marshal come out and inspect, so it has to pass a  
7 fire marshal inspection. The State will also come  
8 out and look over the home and they'll measure  
9 bedrooms and basically tell you how many people you  
10 could serve in the home.

11 CHAIRMAN COWHIG: But you think the house  
12 would meet the standards for four residents?

13 MS. VITS: Yes, definitely.

14 MR. CROSS: When you say the state fire  
15 marshal, that's the actual State Fire Marshal?

16 MS. VITS: Yes.

17 MR. CROSS: They don't require the local fire  
18 marshal to conduct any inspection?

19 MS. VITS: No, the State Fire Marshal.

20 MR. CROSS: Do they have somebody that  
21 verifies the distance of your licensed CILA home  
22 from an existing CILA home? Because our zoning  
23 ordinance I know states a thousand linear feet. I  
24 was doing some research today, and just a couple

1 things for the record, maybe we can identify the  
2 actual definition of the CILA home and some of the  
3 requirements. Title 59 of the Mental Health Code  
4 state statute identifies a CILA site shall be  
5 located to enable individuals to participate and be  
6 integrated into the community and neighborhood.  
7 Home shall be typical of homes in the community and  
8 residential neighborhood, and their inclusion should  
9 not appreciably alter the characteristics of the  
10 neighborhood. So that's something we want to make  
11 sure that happens here.

12 And then it also talks about the  
13 integration of individuals with mental disabilities.  
14 But then it talks about CILAs owned or leased by an  
15 agency and funded by the department -- I'm assuming  
16 you are funded by the department.

17 MS. VITS: Yes.

18 MR. CROSS: Shall not be located within a  
19 distance of 800 feet, so you have a 200-foot less  
20 restriction than what we do, measured via the most  
21 direct driving route. So it's street to street, I  
22 guess, entry to entry.

23 The question I have is, does the  
24 State have a database of identified sites where we

1 could visually verify the distance between your  
2 proposed home and any existing CILA home?

3 MS. VITS: Yes. I did call licensure and they  
4 did look in the database, and they said that it was  
5 clear of any other nursing homes or other CILAs.

6 MR. CROSS: Okay.

7 MS. TERRILL: I'd like to interject something  
8 here. The distance between two group homes, to me,  
9 isn't as compelling as the number of group homes in  
10 a given area. And we just happen to have a big  
11 concentration of them along Station Street, Hawkins,  
12 and into Gracefield. We have three in Gracefield,  
13 three that I know of on Hawkins. There's three on  
14 Station Street.

15 I'm concerned about the density and I  
16 believe there is -- it's been so long since we've  
17 been here, I couldn't find my book tonight. But I  
18 believe there is a section of our code that deals  
19 with the density of group homes, and the fact that  
20 we can't allow too large a concentration in any  
21 given area.

22 MR. CROSS: My understanding is it's the  
23 thousand linear feet distance, and the logic behind  
24 that was very similar to what the State has, in that



1 the goal is to, they really want to make sure that  
2 they are integrated into the neighborhood and don't  
3 become a block group within a neighborhood, so to  
4 speak. They don't want them side by side by side  
5 because it does affect not only the traditional  
6 density of the neighborhood but the traditional  
7 traffic patterns of that street which may not be  
8 designed for that, or parking and so forth. So, to  
9 my knowledge, to answer that question, it's based on  
10 the footage of a thousand linear feet.

11 The reason I recall this is back in  
12 2007, if many of you recall, the family community  
13 residence was actually identified as a permitted use  
14 in the R-1, R-2 and R-3. And I remember we had some  
15 discussion during a text amendment that said we had  
16 no way or no idea what would go in, and how could we  
17 ensure that the state requirement of the 800 linear  
18 feet was being matched, you know, to prevent that  
19 density. So the amendment was to remain consistent  
20 with other transitional homes like halfway houses  
21 and things like that where you could not be within a  
22 thousand feet of another facility. I believe that's  
23 how we addressed it in the zoning.

24 MS. TERRILL: I understand that's how we

1 addressed it. I don't think it's effective. If you  
2 have one every thousand feet in an area you still  
3 have a density that I find unacceptable.

4 I'm concerned, too, about the parking  
5 situation, because anybody that's familiar with the  
6 school routine over there knows that it's  
7 impossible. And having additional cars parked out  
8 there is just going to, you know, exacerbate that  
9 problem.

10 MS. VITS: Well, I mean, we can utilize, of  
11 course, the driveway, and we could also utilize the  
12 garage. And I don't see where there would be, you  
13 know, especially on first shift that there would be  
14 any more than two cars during school. During the  
15 day there may be more individuals or workers coming  
16 in, but I don't think it's going to affect the  
17 morning rush.

18 MR. ROREM: Ms. Vits, I'm new to understanding  
19 the regulations of this issue. Could you tell me  
20 where I could go to understand more about the  
21 regulations of the whole CILA process?

22 MS. VITS: Online. They have Rule 115.

23 MR. ROREM: Okay.

24 MS. VITS: That's under the DHS website.

1           MR. CROSS: I've got it right here. I looked  
2 up, and that talks about your base startup and  
3 funding, correct, under your site modifications, and  
4 that's something I was wanting to talk about.

5                   You somewhat answered this question  
6 but I want to make sure I understand this and the  
7 Board understands this. Because the City of  
8 Kankakee, from a property maintenance standpoint, we  
9 would treat this like a traditional single family  
10 residence. You would be required to have a rental  
11 license inspection, which means the code department  
12 would go out and make a property maintenance  
13 inspection, make sure all life safety issues are  
14 being met, your GFIs are where they need to be, and  
15 so forth.

16                   The question I have, though, is it  
17 talks about structural renovations and structural  
18 modifications. And I'm assuming, specifically in  
19 non-based startup funding Section 2a under Site  
20 Modification, 2a, subsection 4, it talks about the  
21 need, the possibility for ramps, hydraulic lifts,  
22 fire sprinkler systems, for CILA, four or more  
23 person in site. From what I understand on that,  
24 that means this must have a sprinkler system in it.



1 Am I not interpreting that correctly?

2 MS. VITS: Sprinkler system is for individuals  
3 that, let's say they're in wheelchairs and it would  
4 take them a while to get out of the residence, then  
5 a sprinkler system would be required.

6 MR. CROSS: Okay. So, and that's in this?

7 MS. VITS: As long as they're mobile, the  
8 sprinkler system is not necessary.

9 MR. CROSS: Because I don't know if I'm  
10 reading, fire sprinkler system for a CILA of four or  
11 more persons in site, or when the residents of the  
12 home, okay, prompt evacuation, is that what you are  
13 talking about?

14 MS. VITS: Right.

15 MR. CROSS: Okay.

16 MR. ROREM: If we adopt the International  
17 Residential Code of 2009, sprinkler systems are part  
18 of the deal.

19 MR. CROSS: They are. And I will be very  
20 honest, we are working on that, because we have to  
21 have that completed by May of this year to keep our  
22 insurance ISO rating. And those are some factors  
23 that have to be considered. My understanding that's  
24 not going to be in place until at least May. So I



1 don't know if that will be applicable at this point,  
2 but it could be if you do not have it purchased and  
3 occupied prior to that day. That's a very good  
4 point.

5 MR. ROREM: From what very little I know, what  
6 I'm surprised about is I thought a CILA home had a  
7 standard that would apply to individuals with a  
8 variety of conditions. From what I'm hearing you  
9 talking about, it seems as though the accommodations  
10 within a CILA home are flexible to the people it  
11 serves, that if somebody is in a wheelchair you have  
12 to have accessibility and you have to have the  
13 appurtenances and turning radiuses and bathrooms,  
14 etc., for someone that needs that type of care.  
15 What you are saying is you have somebody who is  
16 ambulatory who doesn't have the need of the  
17 wheelchair assistance and accommodation, the CILA  
18 homes doesn't have to have that?

19 MS. VITS: No.

20 MS. TERRILL: Given that as the case, I'm  
21 sorry, Chip, I didn't mean to interrupt you. That  
22 doesn't make sense to me, because if that is written  
23 into the statement that a sprinkler system is only  
24 necessary in the case of nonambulatory residents,

1 that would be one thing. But since it isn't written  
2 in, what happens when you get a nonambulatory or a  
3 resident becomes nonambulatory, which we know  
4 happens? Then is it up to us to police that  
5 situation and then say now she has to put a  
6 sprinkler system? This doesn't stack up right to  
7 me.

8 MS. VITS: The homes are very closely  
9 monitored by the State of Illinois. In fact, they  
10 do, they do yearly inspections. In fact, I just  
11 had, since I've been open in 2012 for my son's CILA  
12 home I've had two reviews already. One was a 98  
13 percent and the last one that was done right around  
14 Christmas was 94 percent.

15 MS. TERRILL: And when did you open it?

16 MS. VITS: 2012, in the middle, August, so  
17 we've already had two reviews, and we've done very  
18 well.

19 MS. TERRILL: So what would happen, then, if a  
20 person in that home became nonambulatory?

21 MS. VITS: The State will actually fund to do  
22 modifications to the home if that were to be a  
23 problem.

24 MS. TERRILL: So they would then move out

1 until it was completed or --

2 MS. VITS: I'm not sure how that would work.  
3 I guess we would just have to cross that bridge when  
4 it came.

5 MR. CROSS: She is correct on that. That is  
6 in this 115. It does talk about where you front the  
7 cost and it's a reimbursable expense. It does talk  
8 about reimbursable expenses. The only ones that are  
9 not reimbursable are new flooring, roof repair and  
10 replacement, basic maintenance things. But it does  
11 talk about reimbursable expenses being like  
12 accessibility modification and things like that.

13 But that is the responsibility of the  
14 owner to submit a contract bid. My understanding  
15 you have to follow a bid process, procurement  
16 process like everybody else. But you have to submit  
17 that, get it approved, get the work done, and then  
18 are reimbursed, if I'm understanding the process  
19 correctly.

20 CHAIRMAN COWHIG: Are the residents there  
21 pretty much all day, or do they go to sheltered  
22 workshops or jobs?

23 MS. VITS: It would be the choice of the  
24 family and the individual as far as what they want.

1 Personally, my son has an at-home day program to  
2 where he works on goals at home with the DFP. So it  
3 just it depends on what their needs are, what their  
4 wants are, their desires are, because we're there to  
5 service them to help them with what they want in  
6 life.

7 CHAIRMAN COWHIG: Does the State refer  
8 residents to you, or what determines who lives  
9 there?

10 MS. VITS: There's a pass agency that gives  
11 group homes referrals, and then we interview the  
12 families and we make our decisions based on those  
13 interviews.

14 CHAIRMAN COWHIG: So you have some degree of  
15 selectivity?

16 MS. VITS: Correct.

17 CHAIRMAN COWHIG: If we don't have any further  
18 questions at this point, we can take questions or  
19 comments from the audience.

20 Anyone who wishes to speak needs to  
21 be sworn in and to identify themselves by name and  
22 address. Mr. Osenga.

23 (Witness sworn.)

24 MR. OSENGA: My name is Larry Osenga. I'm the



1 Third Ward Alderman in West Kankakee, and I  
2 represent the area where this group home would be  
3 located if it were to become a reality. I talked,  
4 this gentleman to my right is Steve Lemon, he's the  
5 other Third Ward Alderman that represents the people  
6 in the Third Ward. We've had some conversation  
7 about this, so we felt we wanted to come tonight and  
8 state our opinion about what we feel about this.

9                   As I get started here, I guess Deb  
10 stole a little bit of my thunder here, but that's  
11 okay; she does a very good job, she does her  
12 homework. Currently, that I'm aware of, there are  
13 five such community housing in West Kankakee from  
14 Wall Street west. There's one at 1340 West Station,  
15 1341 West Station, 1537 Budd, 1017 South Curtis, and  
16 801 West Walnut, and those are just in West  
17 Kankakee. I don't know if there's any others  
18 located throughout the city. These are the ones  
19 that I'm personally aware of.

20                   This particular location, 1088 West  
21 Hawkins, in close proximity, within a hundred yards  
22 of this property there's a grade school, Taft Grade  
23 School. Half a block from there is McBroom Park,  
24 and then one block from there is another grade

1 school, St. Martin. I understand this is going to  
2 be community based resident family housing and for  
3 mentally and physically handicapped citizens. But  
4 in close proximity of this area and this many  
5 children, I just don't know how conducive that is  
6 for this type of an area.

7                   This particular house, I haven't been  
8 in it, but I was made aware of what it is. It's a  
9 four bedroom house. And if you drive by and looked  
10 at it, it appears probably bedrooms on the second  
11 floor, and there's supposed to be a finished  
12 basement in this house. Well, if you have  
13 handicapped citizens, I think this would be, would  
14 not be real conducive for them with that many steps  
15 going up and steps going down. I think there would  
16 be potential for possible accidents there.

17                   Everything around it, this particular  
18 property, if we were to change the variance it  
19 wouldn't be consistent with surrounding properties  
20 in this neighborhood. There's some very nice homes  
21 all around this area. It's single family homes,  
22 there's nothing else. Other than the school, it's  
23 all single family homes in the residence.

24                   Somebody, possibly Deb again, talked

1 about -- great job Deb -- talked about the traffic  
2 flow in this area. People that live there, when  
3 school is beginning, when school gets out, it is an  
4 absolute nightmare around there every day. And to  
5 put a group home there, even though it would be a  
6 limited number of vehicles there, you are just  
7 adding to the congestion there, and I just don't  
8 feel this is the right area.

9                   And, you know, I don't know about  
10 this, and I don't claim to know about this, but one  
11 question I would have if I lived right there, what  
12 will this do to my property values in this  
13 particular area, if I had a home there. Personally,  
14 if I were looking to purchase a home and there were  
15 a group home next to the property that I would be  
16 potentially buying, I might second guess buying  
17 there, not knowing the particulars, just knowing it  
18 was a group home.

19                   That being said, I would ask that,  
20 you know, the Planning Board look at this very  
21 seriously and, you know, this will come before City  
22 Council, Steve and I will be talking to City  
23 Council, and I just do not feel this is conducive  
24 for this particular area.



1 Thank you.

2 CHAIRMAN COWHIG: Thank you.

3 Yes, ma'am.

4 (Witness sworn.)

5 MR. CROSS: Please state your name for the  
6 record.

7 MS. CARLSON: Peg Carlson. I live at 1040  
8 West Hawkins, and I have two questions. Right now  
9 the planning, since it's a four bedroom home, for  
10 four residents, but is there any possibility that it  
11 could become eight?

12 MS. VITS: No, I do not want to serve eight  
13 people.

14 MS. CARLSON: No, but, I mean, is there any  
15 law that says you can't double up on the bedrooms?

16 MR. CROSS: I can answer this question from  
17 two standpoints, one from a traditional building  
18 zone standpoint, and the other from a zoning  
19 standpoint. The definition of family community  
20 residence, per zoning ordinance, does allow up to  
21 eight. However, as a condition of this approval, if  
22 the applicant says I'm only going to have four, the  
23 Board and ultimately the final ordinance that would  
24 be adopted, if adopted, could state maximum number



1 is four.

2 MS. CARLSON: Okay.

3 MR. CROSS: Now, the question becomes, though,  
4 do you want the City to be responsible for policing  
5 that. That's another, that adds another task to the  
6 staff. And it's very hard to police, I'll be very  
7 honest.

8 From a building standpoint, it's  
9 another way that it's policed is when they do the  
10 property maintenance inspection for the rental  
11 license inspection, and I'll be honest, I don't know  
12 what the state code is on the square footage on a  
13 bedroom per occupant. But right off the top of my  
14 head, my understanding is you have to have a minimum  
15 of 120 square feet per bedroom for two occupants.  
16 In other words, it's 70, I believe, for one occupant  
17 and 120 if you want to put two in there, with the  
18 max of two.

19 So those are the two ways to do it,  
20 plus then it's regulated by the bathrooms. But  
21 there are two and a half bathrooms, so I don't think  
22 that is going to come into play. But each of the  
23 bedrooms would have to be 120 square feet minimum to  
24 house up to eight occupants.

1 MS. CARLSON: Okay. Another question I have  
2 is the maintenance of the property on the outside.  
3 Who is under contract to maintain the property?

4 MR. CROSS: That becomes, that's the  
5 responsibility of the owner. And it is regulated,  
6 whether it's a group home, a community residence,  
7 single family residence, or commercial property, it  
8 is regulated by the City's International Property  
9 Maintenance Code, which sets requirements out of  
10 Chapter 8 of our Municipal Code on grass height,  
11 exterior, things like that.

12 MS. CARLSON: The reason I'm saying that is  
13 because, for instance, my neighbor has been on the  
14 Cultivator's garden walk. She takes a great deal of  
15 pride in her yard, I do in mine, and we all do, a  
16 lot of people, a lot of them sitting right here  
17 that, you know, and I do think that's a concern,  
18 that they would only mow the yard maybe when it got  
19 to a certain height, and that's not the way we  
20 maintain our neighborhood.

21 MR. CROSS: The City would try to stay on top  
22 of it but, unfortunately, a violation has to take  
23 place before the City can address it. We can't get,  
24 the grass height is set six inches by the Code, but

1 we cannot force them or issue any citations until  
2 after the grass gets over six inches, just like any  
3 other property in the City.

4 CHAIRMAN COWHIG: Thank you, Mrs. Carlson.

5 Anyone else?

6 (Witness sworn.)

7 MR. CROSS: Please state your name for the  
8 record.

9 MS. TUTT: I'm Dawn Tutt. I live at 1072  
10 School Street, I have several questions. And a  
11 couple have been answered, so I appreciate that.  
12 One, I just wanted to make a statement from the  
13 start, we do not receive a 10- to 20-day notice,  
14 just to let you know.

15 MR. CROSS: Okay.

16 MS. TUTT: We got the notice Friday or  
17 Saturday. I didn't bring the envelope, wished I  
18 had. It was hand-delivered. And I work from my  
19 home so I did not miss the mailman from bringing it  
20 to me. And she said she was delivering them to  
21 everybody in the neighborhood that day that she had.

22 MS. CARLSON: I have mine, Dawn.

23 MS. TUTT: We did not receive a 10- to 20-day,  
24 so we were scrambling, trying to get everything

1 together.

2 MR. CROSS: In fairness to the applicant, she  
3 certified they were mailed on the 17th. So she  
4 can't be responsible for postage.

5 MS. TUTT: So mail from where?

6 MR. CROSS: It was mailed on January 17 from  
7 the Kankakee, Illinois, post office, the USPS.

8 MS. TUTT: And we got them on Saturday, which  
9 would have been the 25th, so it took eight days?

10 MR. CROSS: I can't speak for the USPS.

11 MS. TUTT: I just want to put that out there.  
12 So we didn't have that advance notice.

13 So, actually, a question probably for  
14 you directly is what attracted you to our  
15 neighborhood or how did you choose the location that  
16 you are looking at?

17 MS. VITS: It was close proximity to a park.  
18 There is, you know, shopping and that down Curtis,  
19 Mario's Market and different things there. But a  
20 lot of it was the home itself and requirements that  
21 CILA home has to be. And I saw that it was a four  
22 bedroom, two and a half bath. The two bedrooms are  
23 upstairs with a full bath, there's two bedrooms on  
24 the main level with the full bath, and then there's



1 a partially finished basement with a half bath. So  
2 the set-up, the home would be a perfect home for a  
3 CILA home.

4 MS. TUTT: Even though it's a very steep set  
5 of stairs that go upstairs?

6 MS. VITS: It does have walls on each side, so  
7 if somebody were to stumble they wouldn't fall over  
8 a bannister or things like that. So I was cautious  
9 about that also.

10 MS. TUTT: So when you were shopping for this  
11 CILA home, how do you go about that? Do you look  
12 specifically for foreclosures?

13 MS. VITS: No, in fact, when I looked at this  
14 one I didn't know it was a foreclosure.

15 MS. TUTT: I was just kind of curious how that  
16 comes about.

17 Is your CILA home funded by the  
18 State?

19 MS. VITS: Yes.

20 MS. TUTT: So do you actually purchase that  
21 home yourself with a loan?

22 MS. VITS: Yes, I am, yes.

23 MS. TUTT: But the State funds you based on a  
24 per resident, or how does that work?

1 MS. VITS: The residents have set funding, so  
2 it's on an individual basis, depending on their  
3 needs. Some individuals may only get 20,000 a year,  
4 some get 40,000 a year, some may get 70,000 a year.  
5 It just depends on their needs.

6 MS. TUTT: So this could potentially be rather  
7 profitable for you.

8 MS. VITS: I'm the executive director and,  
9 yes, I would pay myself. It's a not for profit  
10 organization. I'm the executive director.

11 MS. TUTT: But you get the money but it's not  
12 for profit? You get the money what you make for the  
13 resident. You buy the property but the State pays  
14 you per resident, however much they get?

15 MS. VITS: Correct.

16 MS. TUTT: You would potentially get money and  
17 pay that house off in one year, so you are doing  
18 this house as a profit. Kind of feels strange to me  
19 in my neighborhood.

20 Next, we did talk a little bit about  
21 the maintenance and exterior. I have the same  
22 concerns that Peggy does. And to me to say that,  
23 you know, it could get, the grass could get to five  
24 or six inches before even a complaint could be

1 considered, is unacceptable in our neighborhood. We  
2 don't any of us live like that. It's not just  
3 mowing the grass, it is maintenance of the home, the  
4 exterior of the home, the gutters, the painting, you  
5 know, soffits, everything.

6                   Because, again, I have walked by that  
7 Eighth and Walnut CILA home all summer. We all walk  
8 our neighborhoods, we see it. That one is very  
9 rundown on the exterior. I haven't seen the inside.  
10 So when I see something like that on the exterior,  
11 my first thought is also what's happening on the  
12 inside. So from a resale perspective, how does that  
13 affect my little community. And I feel like it has  
14 a negative impact.

15                   Again, since you own it, you will be  
16 responsible for that maintenance, right?

17           MS. VITS: Correct.

18           MS. TUTT: Painting, upkeep and so forth.

19                   I would wonder if we could see this  
20 CILA home, which kind of also brings up some other  
21 questions to me. Is the home that you own in  
22 St. Anne with your son for your son lives there,  
23 just your son?

24           MS. VITS: Correct.

1 MS. TUTT: Why would you turn your personal  
2 home into a CILA home?

3 MS. VITS: Because it's six acres and my son  
4 loves to ride four-wheelers, so he has acreage out  
5 there. And if you know anything about autism, they  
6 have a lot of problems with transition. So it was  
7 easier for me to move out and transition than it was  
8 to move him out.

9 MS. TUTT: Why turn it into a CILA home?  
10 That's what we would do for any of our own children,  
11 our own personal home. Why would you turn it into a  
12 CILA home?

13 MS. VITS: So I could have workers come into  
14 the home. Otherwise, I couldn't afford it to pay  
15 them if it's not funded, because he requires 24-hour  
16 care.

17 MS. TUTT: Okay. We talked a little bit about  
18 the handicap issue and the stairs.

19 Home values. I think everybody  
20 agrees with the same thing, you know. I'm very  
21 concerned about what that does to our home values.  
22 We've already taken a large hit in our area. It  
23 kind of seems like the west side is under attack.  
24 We are one of the very few areas that are left good



1 in the city. And I think if we continue to attack  
2 it and let the home, the homes go for the prices  
3 that our realty people which left the room has  
4 allowed to happen on the west side, this isn't the  
5 first that's going to happen. It's going to  
6 continue to happen. You are giving the homes away  
7 in that area. It's not just a CILA, but I think  
8 it's a beginning. You can see how many of these  
9 homes are making their way into that. So you have  
10 to ask yourself why, why is that occurring? Why are  
11 they moving into the west side? Because it's one of  
12 the last, I don't want to say the last, because our  
13 beautiful Riverview area, but one of our very few  
14 nice areas for us, you know, to raise our families  
15 and so forth.

16 So I just think, you know, some great  
17 consideration should be made and, personally, I vote  
18 against it, if we're getting to say our vote.

19 Again, I also am very concerned about  
20 the adding of residents. And we all know how  
21 strapped the state is. So if at some point you do  
22 decide to add residents, who is going to monitor  
23 that? It might be your responsibility to tell them  
24 but the State might, what, a year to go out there to

1 say you can add one more or two more, or your house  
2 meets those qualifications for additional residents.  
3 And then do we get a say in that? Do we as a  
4 community get to come back and say, to point where  
5 we maybe reluctantly agree to four, now it's going  
6 to be six or eight in the next six months. Do we  
7 have an opportunity to go back and as a neighborhood  
8 and say, you know what, no, we don't want eight  
9 residents in there, because that's going to increase  
10 the number of employees you are going to need to  
11 have if you would increase your residents.

12 And, really, while you think there's  
13 a garage and there's a driveway, really, one of your  
14 workers is going to park in the garage? And then  
15 you can only put one in the driveway, maybe two. So  
16 you are always going to be a car shifting thing, as  
17 we all do, in and out and so forth. And there may  
18 be street parking, but everybody has more than one  
19 car these days. And if you have children that are  
20 16 or over, you already have additional cars. So  
21 there's already, as they said, a real congestion in  
22 that area.

23 And, again, the school, it worries  
24 me. It's not only cars. We have a lot of lot of

1 children who walk the neighborhood, walking to and  
2 from school, walking to and from the park, so  
3 concern there.

4                   And I think you mentioned this a  
5 little bit about the residents. I had a question.  
6 And you did say it was dependent upon the families  
7 and what their wants were. But a typical resident,  
8 because these are ages 20 to 40, that's a pretty big  
9 range there. Do they typically come and go through  
10 the day, just a typical person? So do they come and  
11 go, and how are they transported when they come and  
12 go to these activities?

13           MS. VITS: They would be transported by the  
14 workers, because we don't have a company car as of  
15 right now, so it would be the workers' cars that  
16 they would be transported in.

17           MS. TUTT: So say two of the residents want to  
18 go somewhere, they were going to different places.  
19 So there would have to be, obviously, a resident  
20 that stays at the house, and then other additional  
21 cars or staff to take those people where they need  
22 to go.

23           MS. VITS: Right.

24           MS. TUTT: Okay. Are they typically allowed



1 to go outside on their own?

2 MS. VITS: Sure, just like anybody else.

3 MS. TUTT: Okay, I'm just asking.

4 MS. VITS: They are monitored but, yeah, they  
5 can go outside.

6 MS. TUTT: I'm just asking. I'm not at all  
7 concerned about autistic or Down Syndrome children  
8 as the definition. I have no concern of that. My  
9 only concern is that, you know, again, you have  
10 small children walking the neighborhoods and they  
11 don't know what that is, they don't understand what  
12 that is, and they'll be frightened and feel unsafe.

13 MS. VITS: Why would they feel frightened and  
14 unsafe?

15 MS. TUTT: Because young people feel that way  
16 against someone who doesn't look or act like them.  
17 That's all, I'm just making a statement.

18 MS. VITS: I mean.

19 MS. TUTT: I'm just saying to you.

20 MS. VITS: Right. But we have to understand  
21 there are people with developmental disabilities and  
22 they belong in the community like everybody else.

23 MS. TUTT: I agree.

24 MS. VITS: It's a matter of people that aren't



1 exposed to people with developmental disabilities  
2 may have a fear, just like we fear anything that we  
3 don't know, the unknown, but they could actually  
4 teach children a lot.

5 MS. TUTT: Right. And so, you know, so that's  
6 an opportunity for you to, you know, educate the  
7 community.

8 MS. VITS: Correct.

9 MS. TUTT: So would your employees, just  
10 thinking they can go outside, right, so they can go  
11 outside and potentially not be with someone, right?  
12 Could they walk a block away, two away, get lost,  
13 like a younger child might be autistic or Down  
14 Syndrome?

15 MS. VITS: It depends on their level of  
16 functioning. You know, the way my son is, if one of  
17 my workers or my son is outside, the worker has to  
18 be outside, you know. If my son is inside they have  
19 to be inside. So I would definitely monitor. And I  
20 don't know any individual we'll be serving yet, so  
21 it's really hard to say.

22 MS. TUTT: That's exactly what I was going to  
23 go. You don't know who the four individuals are,  
24 right?

1 MS. VITS: Right.

2 MS. TUTT: So, will they be autistic or Down  
3 Syndrome, or could they be something else?

4 MS. VITS: We're looking at the population of  
5 autism and Down Syndrome.

6 MS. TUTT: What happens when you try to fill  
7 the four residents in the home and there doesn't  
8 happen to be autistic and Down Syndrome and they ask  
9 you to place residents of different needs? Is there  
10 any limitations on that, or do you have --

11 MS. VITS: That's --

12 MS. TUTT: -- have to take them regardless?

13 MS. VITS: That's what I'm focusing on. I'm  
14 not going to get aggressive individuals. I mean,  
15 you may have an individual that has a temper  
16 tantrum, just like any five or six year old kid that  
17 lives in the neighborhood, only they're bigger, and  
18 it doesn't look normal. But they're not going to be  
19 threatening in any way to any of the neighbors.  
20 There will be people there monitoring them, workers.  
21 There's nothing to be scared of, because I am going  
22 to closely monitor that, make sure that is watched.  
23 MS. TUTT: How are you going to do that? You  
24 are not going to live there, right?

1 MS. VITS: No, but I will have a manager.

2 CHAIRMAN COWHIG: She's already testified that  
3 she has a good degree of selectivity in the choice  
4 of residents.

5 MS. TUTT: A good degree of selectivity of the  
6 residents.

7 MS. CARLSON: They get to choose.

8 MS. TUTT: I understand what that means, but  
9 I'm just trying to process, yeah, you can, will the  
10 state allow you to turn anybody down?

11 MS. VITS: Yes.

12 MS. TUTT: If you can't fill the positions,  
13 can the state tell you you have to take --

14 MS. VITS: No.

15 MS. TUTT: -- someone.

16 MS. VITS: No.

17 MS. TUTT: Okay. So because your son is  
18 autistic, that's what you want to kind of focus on?

19 MS. VITS: Correct. He's 19 years old and  
20 I've raised him alone all my life.

21 MS. TUTT: So have you considered, rather than  
22 opening a new facility, taking these four residents  
23 that you want to and adding them to the CILA home  
24 you currently have in St. Anne at your home?

1 MS. VITS: No.

2 MS. TUTT: Why is that?

3 MS. VITS: Well, because the home would not  
4 work with four more people, first of all. And my  
5 son is very aggressive. And he does have two  
6 behavior specialists that work with him at the home,  
7 and right now it's just safe to have him in that  
8 facility.

9 MS. TUTT: Okay. Just thinking you had the  
10 six acres and everything.

11 CHAIRMAN COWHIG: I think we're getting off  
12 the subject. Consider the proposal at a specific  
13 location at Hawkins Street.

14 MS. TUTT: I was just trying to get a feel  
15 for, you know, if she already has a CILA home and it  
16 had all this beautiful acreage and home space, why  
17 would you be looking for another place, because that  
18 seemed like a really great location. That's all, I  
19 was just trying to get a feel for how her feelings  
20 are to her location versus this location.

21 CHAIRMAN COWHIG: The question we're  
22 considering is whether the proposed location on  
23 Hawkins Street is appropriate for the proposed use.  
24 We are not looking at alternative locations. That's



1 not our responsibility.

2 MS. TUTT: I wasn't looking for an  
3 alternative, I was trying to get a feel for why  
4 she's picking an alternative location than one she  
5 already has existing.

6 CHAIRMAN COWHIG: She has proposed a specific  
7 location and that's what we're considering tonight.

8 MS. TUTT: My apologies, I didn't understand I  
9 wasn't able to go there, my apologies.

10 Again, since it is kind of an open  
11 forum, I want to say personally I do think it would  
12 alter the characteristics of my neighborhood. And,  
13 you know, with the statistics which there are two  
14 group homes right next door to each other, isn't  
15 that within too close of the boundaries you  
16 mentioned earlier?

17 MR. CROSS: Let me clarify now. That  
18 ordinance was a recently adopted ordinance. Those  
19 homes could have existed prior to the adoption of  
20 the current ordinance, which makes them what we  
21 define as a legal nonconforming use, which is a  
22 fancy term for grandfathered use. We cannot take  
23 that away. That's not different than you have a  
24 fence in your front yard and the new ordinance says

1 you cannot. We can't take away what is already  
2 preexisting, we can only regulate what goes from  
3 that adoption date forward.

4 MS. TUTT: What's the date of that ordinance?

5 MR. CROSS: I will review it. But, if I  
6 recall correctly, the adoption of the amendment was  
7 2008, 2007, something like that, in a residential  
8 zoned district.

9 MS. TUTT: So it's been there about five  
10 years?

11 MR. CROSS: And that could have been one of  
12 the triggers --

13 MS. TUTT: Okay.

14 MR. CROSS: -- back in the day for the  
15 amendment. Because back before we proposed the  
16 amendment and did the amendment it did allow, by  
17 right, CILA homes or single family community  
18 residences.

19 MS. TUTT: Are those open to inspection from  
20 the public at all, the CILA homes?

21 MR. CROSS: No, they have a right, per the  
22 City, of any other homeowner, because we inspect it  
23 like any other single family rental dwelling, and  
24 citizens do not have the opportunity to intrude upon

1 another citizen's rights.

2 MS. TUTT: Okay, that makes sense, okay.

3 Well, thank you. I appreciate your  
4 time.

5 CHAIRMAN COWHIG: Mrs. Carlson.

6 MS. CARLSON: I have one more question about  
7 the maintenance of the property. I know there is  
8 going to be a general manager, I think you said, for  
9 the property. Is it written into their contract  
10 that they're responsible for the upkeep of the yard?

11 MS. VITS: Yeah.

12 MS. CARLSON: Is that part of their contract?

13 MS. VITS: I will be in charge of that.

14 MS. CARLSON: You will be?

15 MS. VITS: Yes.

16 MS. CARLSON: Not the general manager?

17 MR. ECKHARDT: Is this house empty now?

18 MS. VITS: Yes. I do upkeep homes. I was  
19 raised in a very nice neighborhood. My current CILA  
20 is about a \$200,000-dollar home on six acres, which  
21 I upkeep. It looks beautiful. Right across from  
22 the Elks Country Club. So there's no problem with  
23 upkeeping the yard. I will keep it spotless. So  
24 don't worry about that.

1           CHAIRMAN COWHIG: Is there anyone else who  
2 wanted to make a comment or ask a question?

3                       Yes, ma'am.

4           MS. WOODRUFF: I'm Wanda Woodruff, I live at  
5 1090 South Eleventh. I'm just across the street.

6           CHAIRMAN COWHIG: You need to be sworn in.

7                               (Witness sworn.)

8           MS. WOODRUFF: And when I got the letter, my  
9 first thought when I saw that was the two tiny  
10 children that live on this side of that house and  
11 the small child on the other side of the house, and  
12 they are used to free roaming, you know, playing.

13                       And I don't know how much you have  
14 observed morning and night, coming and going at  
15 school around that area. It is a very busy place.  
16 And during the summer there are a lot of children  
17 that do congregate, ride bikes. That's a very busy  
18 walking area as well as biking area and all of that  
19 sort of thing.

20           MS. CARLSON: They provide breakfast for them,  
21 so there's always constant children on that street.

22           MS. WOODRUFF: Busy place. You have to have a  
23 very tight little window if you have a doctor's  
24 appointment or something if you need to get out, you



1 know, so it is a busy thing. And parking is  
2 sometimes a problem in that area.

3 But my thought was of all the  
4 children that are just bustling around.

5 MS. VITS: My shifts, the way they run right  
6 now, probably keep them, six to two shift, two to  
7 ten, ten to six. So six in the morning, you are not  
8 going to have school children and then 2:00 would be  
9 before the school let out. So I don't see that as  
10 an issue.

11 MS. WOODRUFF: It might not be, but my  
12 thought, too, depending on issues that your people  
13 have, even though they're older some of that might  
14 be, you know, distracting to them and bothersome as  
15 well when you have all that going on, I don't really  
16 know. I love kids, but we want them all to have a  
17 good place to grow up. So that was my first thought  
18 when I saw the letter was all of these children that  
19 we see, you know, coming to the school.

20 CHAIRMAN COWHIG: Thank you.

21 Anyone else? If not, I will declare  
22 the public hearing closed. But you are free to send  
23 written comments to the City Planner.

24 MR. CROSS: Yes, you can make them attention

1 to the City Planner, Clifford Cross, at 850 North  
2 Hobbie here in Kankakee. Depending on whatever  
3 action is taken tonight, the chances are the  
4 recommendation, unless it's tabled for one reason or  
5 another, would go to the Mayor and Council prior to  
6 their second meeting in February, which I believe is  
7 February 18. So I would need to have any written  
8 comments to incorporate into the file to note prior  
9 to the Thursday before that meeting.

10 MS. TUTT: Could you give us that date, what  
11 that date is?

12 MR. CROSS: By the 13th. President's Day is  
13 the 17th. That is actually why the City Council  
14 meeting will be held on the 18th, which is the  
15 following Tuesday. That would be the general night  
16 of our Planning Board meeting, the third Tuesday. I  
17 cannot wait any longer than that after any action  
18 because our ordinance says I have to forward any  
19 actions to the Mayor and Council within 30 days of  
20 the recommendation.

21 CHAIRMAN COWHIG: Commissioners, what is your  
22 pleasure?

23 MS. TERRILL: I'm ready to act.

24 CHAIRMAN COWHIG: All right.

1 MS. TERRILL: I'd like to preface the motion  
2 I'm about to make with the statement, though. I  
3 feel the need to apologize to you. It's none of my  
4 business why you establish a CILA home for your son.  
5 I'm glad you did. I applaud you for doing that for  
6 your child. I know it couldn't be easy; it's a  
7 arduous process.

8 Whether you want this home for other  
9 people that are in the same situation or whether you  
10 want it for wild profit, that's not for me to  
11 decide. What is for me to decide is whether it's  
12 appropriate in this spot. Like Cliff pointed out,  
13 Mr. Cross pointed out, we just recommend to City  
14 Council, so it goes to them.

15 But I have to say that I don't like  
16 the idea of attaching conditions to a conditional  
17 use permit. We have done that with minimal success  
18 in the past, and we've learned from it. So the idea  
19 of attaching conditions to this permit that say only  
20 four residents could be in the home, you know, it's  
21 not something that we need to do. What it does is  
22 it creates a burden on local authorities and it sets  
23 a precedent that we have to answer to when we have  
24 future requests.



1                   This being the case, I would like to  
2     propose that we deny the application by Jennifer  
3     Vits in PB 14-01, conditional use permit to  
4     establish and operate a community residence at 1088  
5     West Hawkins because I believe that the proposal is  
6     not consistent with the spirit and intent of the  
7     land use element of our Comprehensive Plan. I  
8     believe that the proposal, due to the current  
9     density of group homes in the area, is not  
10    compatible with the character and use of the  
11    surrounding area. While the proposed use is allowed  
12    only by special consent by city lawmakers, the  
13    current density of group homes in the area makes  
14    this use inappropriate, in my estimation.

15           CHAIRMAN COWHIG: Is there a second?

16           MR. ECKHARDT: Second.

17           CHAIRMAN COWHIG: Motion by Ms. Terrill,  
18    seconded by Mr. Eckhardt, to recommend denial of the  
19    petition. Is there any further discussion?

20           MR. ROREM: I have a question. I have to  
21    admit that I don't know as much about CILA homes as  
22    I would like to know, and I'm not so sure that the  
23    people in this room know as much about the CILA  
24    homes as they might need to know to make an



1 intelligent decision about how one behaves and  
2 operates and what the consequences are to a  
3 neighborhood. I pose the question, is it  
4 appropriate to use this application as an  
5 opportunity to discuss more about what CILA homes  
6 are and how they work in a community before we take  
7 action on it and to table it so that we could  
8 understand more about what's happening in our  
9 community and make a decision based upon our  
10 knowledge as opposed to our fears?

11 MS. TERRILL: The only thing I can say to  
12 that, Chip, is that the motion that I've just made  
13 is based mostly on this density problem that I see  
14 and personal experience in our neighborhood. We  
15 actually have three in our neighborhood. I don't  
16 think Larry mentioned the one on Yates and the one  
17 on Grace. There's also one on Hawkins down by the  
18 apartments, not Hawkins, Curtis.

19 And the two that I'm most familiar  
20 with are the one on Curtis Avenue and the one on  
21 Yates. I visit them. I happened to go in there on  
22 Planning Board business, actually, a few years ago  
23 and struck up a friendship with one of the  
24 residents. And when I walk, I visit the one on

1   Yates in our neighborhood. And I can tell you this,  
2   they make good neighbors, they do.

3                   However, there are problems that are  
4   associated with them that are kind of beyond  
5   anyone's control. Like, for example, we get the  
6   occasional escapee during the night in Gracefield,  
7   and this happens because, you know, you can't lock  
8   people in. If there was a fire, that would be  
9   disaster. So whoever is attending at night gets  
10   distracted or falls asleep or whatever. The group  
11   home is only as good as the employees that are  
12   working in it. And when we have these people  
13   walking through the streets at 2:00 in the morning,  
14   screaming and shouting profanity and obscenities, it  
15   is terribly upsetting when it happens, terribly  
16   upsetting. Doesn't happen often. I can count maybe  
17   three such incidents since those group homes were  
18   established.

19                   There aren't a lot of cars associated  
20   with either of them. The parking situation isn't  
21   that dire. They do have a big white van that sits  
22   there in the driveway.

23                   They have a tendency to not maintain  
24   the properties very well. We've had a constant

1 struggle with the one on Yates in particular. I am  
2 sure you have a file for them on violations. And we  
3 actually have to call the owner of the property and  
4 threaten him to get him to come there and do  
5 anything about it. He's in it for the profit. He  
6 never visits the place; that's the way it is. So  
7 when I say it's only as good as the owner, it's only  
8 as good as the employees that work there.

9               The residents themselves are not the  
10 big problem. The idea, to me, of a child being  
11 afraid of a person with special needs is, well, I  
12 won't comment. But they are lovely people. I enjoy  
13 visiting with them. The two guys that sit out on  
14 the front porch on Curtis Avenue wave at every car  
15 that goes by. This isn't the problem.

16              The problem is the density. I don't  
17 care how much more I could learn, and I do know  
18 quite a bit about CILAs because I have two friends  
19 that have them in their own home that they've  
20 established for their children, one right in your  
21 neighborhood, the Coxes.

22              But it's this density. We can't have  
23 so many of them. They need to be placed in other  
24 places around the City. Bradley and Bourbonnais



1 consistently deny them; otherwise, some of them  
2 would be there. It's very difficult to get one  
3 established there.

4 I would like to see, as Ms. Tutt  
5 said, this neighborhood remain, keep the integrity  
6 that it has now. And if we keep filling it with  
7 rental properties and special needs properties, it  
8 can't, it won't; it's that simple. So that's why I  
9 stand.

10 MR. CROSS: I will say, Chip, one thing that  
11 this does bring up that I think as a staff we need  
12 to approach the Department of Human Services about  
13 is, I am concerned that I'm hearing about all these  
14 homes, because you would think I would know every  
15 one of them. I do not. They go in, they get  
16 established. That's kind of the logic behind the  
17 business license. We don't know the business is  
18 there until after the fact. So we have to find a  
19 way to regulate. The point I'm making is I think we  
20 need to approach the Department of Human Services to  
21 make them work with the local communities better in  
22 identifying these potential sites to ensure  
23 compliance with our local codes prior to them  
24 issuing their license.



1                   The best example that I can compare  
2   it to is the Illinois Secretary of State's office.  
3   Before anybody can establish a used motor vehicle  
4   dealership they have to get what's known as  
5   Secretary of State proper zoning sign-off as part of  
6   our application process. There isn't anything like  
7   this in the Department of Human, which is surprising  
8   to me, because this is less visible, you know,  
9   harder to catch than these motor vehicle  
10   dealerships.

11                   So the point I'm making, also from a  
12   staff standpoint, inspect the database and see if  
13   there's some way to get on a contact list for, you  
14   know, some sort of contact where we at least know  
15   there's the potential of these are coming, because  
16   we really have no way to control the density until  
17   after the fact and until a property owner buys it.  
18   And they may be doing the right thing.

19                   I'll be honest, the applicant did the  
20   right thing here by approaching the staff. A lot of  
21   them do not, they just set up shop and we find out  
22   after the fact. So I do want to stand up for her  
23   character in terms of what she was looking to do in  
24   terms of the proper thing.

1 CHAIRMAN COWHIG: Any further discussion?

2 MR. ECKHARDT: A yes vote means we go along  
3 with her?

4 MR. CROSS: Yes vote means you are  
5 recommending denial of the request.

6 MR. ECKHARDT: Thank you.

7 CHAIRMAN COWHIG: I think we're ready to vote.

8 MR. CROSS: Edwin Eckhardt.

9 MR. ECKHARDT: Yes.

10 MR. CROSS: Carol Franke. Rayleen Harris.  
11 Marsha Lloyd.

12 MS. LLOYD: Yes.

13 MR. CROSS: Berry McCracken. Debra Terrill.

14 MS. TERRILL: Yes.

15 MR. CROSS: Chip Rorem.

16 MR. ROREM: No.

17 MR. CROSS: Willie Ames. Loretto Cowhig.

18 CHAIRMAN COWHIG: No.

19 MR. CROSS: Three-two, recommendation for  
20 denial.

21 CHAIRMAN COWHIG: So as Mr. Cross said, we are  
22 only an advisory body; we send our recommendation to  
23 the City Council. It will probably go for their  
24 meeting on the 19th of February. If you want to

1 submit a written comment, do so by the 13th.

2 MR. CROSS: I think it's February 18,  
3 actually. Let me confirm that day.

4 CHAIRMAN COWHIG: A Tuesday.

5 MR. CROSS: Yeah, it's February 18.

6 CHAIRMAN COWHIG: And thank you all for  
7 coming, especially on such a frigid night when it's  
8 not tempting to go out after dark.

9 MR. CROSS: For all of you who stepped up and  
10 spoke in the public hearing, we do record these  
11 meetings verbatim, so your statements are also  
12 already on file. The minutes do go to the City  
13 Council prior to their action, so they will be able  
14 to review any public comments prior to their action.

15 CHAIRMAN COWHIG: On our agenda we skipped the  
16 Comprehensive Plan update. Do we have anything to  
17 do with that?

18 MR. CROSS: I will be very quick about it.  
19 It's about a, we're very close, we're in the final  
20 revisions that were recommended by this committee  
21 back in, what was it, November? It's been a while.  
22 I'm doing it as quickly as I can to get it for edits  
23 and review. Still shooting for early this year to  
24 get it adopted.

1                   I will say it is already coming to  
2    fruition in terms of some applications that we are  
3    submitting for grants. For example, the Planning  
4    Department just submitted an application for a Brown  
5    Field Communitywide Assessment Grant, and I did cite  
6    certain chapters out of the Comprehensive Plan that  
7    we felt added points and strength to our  
8    application, showing that we are targeting areas for  
9    redevelopment, revitalization. And a key step in  
10   that is to assess brown fields or existing gray  
11   field sites.

12                   Another grant that we are working on  
13   is our FEMA grant. It may be cited in that grant  
14   application, which we are very close, we actually  
15   have two agencies, we are applying for FEMA at the  
16   Federal level and Department of Natural Resources at  
17   state level. I have been meeting with them in  
18   Springfield and citing sections of that grant.

19           MS. TERRILL: So that didn't die during the  
20   government shutdown?

21           MR. CROSS: I will say, let me say this. We  
22   are looking better than I could have imagined from a  
23   DNR standpoint. The Federal grant required a local  
24   match. DNR grant does not. So we're looking at



1 potentially getting the entire project funded by the  
2 State.

3                   So as soon as I get the drafts and  
4 the revisions completed, I will forward it to you  
5 for your review and probably have another mini  
6 stakeholder meeting. Of course, I will bring the  
7 coffee, Edwin. I know Edwin likes his coffee. And  
8 bring you all here, so we'll get it going and get it  
9 to you.

10           CHAIRMAN COWHIG: I don't think there have  
11 been any City Council actions recently.

12           MR. CROSS: There has not.

13           CHAIRMAN COWHIG: And there is no other  
14 unfinished business that I know of.

15           MR. CROSS: A couple text amendments coming up  
16 and a couple potential annexations.

17           CHAIRMAN COWHIG: So our meeting in February.

18           MR. CROSS: February 28. But I do want to  
19 advise I may need to get with you all, I do have  
20 some required training I have to attend which may  
21 come quick with that. So we may try to shoot for  
22 the third Thursday of the month. That would be the  
23 same week as the City Council meeting, the 21st,  
24 something like that. But I will give you due notice

1 and I'll have to republish in the paper.

2 MR. ROREM: 20th?

3 MR. ECKHARDT: Ordinance meeting?

4 MR. CROSS: Scheduled for February 28, but it  
5 may actually be the 20th if I have to reschedule.

6 MR. ECKHARDT: We'll get a notice?

7 MR. CROSS: I will give you a notice and do  
8 the notice per statute.

9 CHAIRMAN COWHIG: Any other business? If not,  
10 we are adjourned. Thank you all.

11 \*\*\*\*\*

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1 STATE OF ILLINOIS )  
2 COUNTY OF KANKAKEE )

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